

PATENT COOPERATION TREATY

From the:
INTERNATIONAL SEARCHING AUTHORITY

To:

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PCTWRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

		Date of mailing (day/month/year) 16 FEB 2004
Applicant's or agent's file reference P0401		FOR FURTHER ACTION See paragraph 2 below
International application No. PCT/AU2004/000039	International filing date (day/month/year) 13 January 2004	Priority date (day/month/year) 13 January 2003
International Patent Classification (IPC) or both national classification and IPC Int. Cl. 7 A01C 23/04, B01F 1/00		
Applicant MUIR, Simon Andrew Huber		

1. This opinion contains indications relating to the following items:

- Box No. I Basis of the opinion
- Box No. II Priority
- Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- Box No. IV Lack of unity of invention
- Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- Box No. VI Certain documents cited
- Box No. VII Certain defects in the international application
- Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer I.A. KILBEY Telephone No. (02) 6283 2115
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/000039

Box No. I Basis of the opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material

a sequence listing
 table(s) related to the sequence listing
 - b. format of material

in written format
 in computer readable form
 - c. time of filing/furnishing

contained in the international application as filed.
 filed together with the international application in computer readable form.
 furnished subsequently to this Authority for the purposes of search.
3. In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
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International application No.

PCT/AU2004/000039

Box No. V

Reasoned statement under Rule 49bis.1(a)(1) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims 16-18	YES
	Claims 1-15, 19-21	NO
Inventive step (IS)	Claims	YES
	Claims 1-21	NO
Industrial applicability (IA)	Claims 1-21	YES
	Claims	NO

Citations and explanations:**NOVELTY: CLAIMS 1-15, 19-21**

DE 2604213 A clearly discloses an in-line dispenser or method using such a dispenser where a dispersible solid, eg from a solid body, is added to a flow of water intended to water an area of earth. The dispenser comprises a liquid conduit having a tubular wall which is permeable to liquid but impermeable to the dispersible solid and where liquid flowing through the conduit may flow through the permeable wall to come into contact with the solid in a container and then the liquid containing the dispersed solid may re-enter the conduit (claims 1, 19-20). This citation clearly also discloses: the permeability of the tubular wall being effected by using apertures of differing sizes or mesh (claims 2-10); the dispenser being attached using screw threads and/or snap fittings to a water supply/distribution means and the conduit extending co-axially between inlet and outlets of a main closed cylindrical body (claims 11-15, 21).

INVENTIVE STEP CLAIMS 1-21

For claims 1-15, 19-21 see above.

Although the above document does not disclose using a filter and/or check valve in the subject dispenser it is considered that the desirability of such features, which indeed are required in many jurisdictions due to government regulations, would readily occur to a person skilled in the art, and consequently the invention of claims 16-18 is lacking in an inventive step in the light of the above citation.

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.

PCT/AU2004/000039

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The claims are not clear in that there are two claims numbered 11.